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10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA, ) No. CR-10-00626-DLJ  
14 Plaintiff, ) ORDER TO EXCLUDE TIME UNDER  
15 v. ) THE SPEEDY TRIAL ACT  
16 OSVALDO GONZALEZ, )  
17 Defendant. )  
18 \_\_\_\_\_)

19 The parties appeared for a hearing to appoint counsel on September 15, 2010. Defendant  
20 indicated that he has retained counsel. Therefore, the Federal Public Defender will not be  
21 appointed to represent him. The matter was continued to September 21, 2010 for the appearance  
22 of retained counsel and to set a date for a detention hearing. Based upon the representation of  
23 counsel and for good cause shown, the Court finds that failing to exclude the time between  
24 September 15, 2010 and September 21, 2010 would unreasonably deny the defendant continuity  
25 of counsel, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).  
26 The Court further finds that the ends of justice served by excluding the time between September  
27 15, 2010 and September 21, 2010 from computation under the Speedy Trial Act outweigh the  
28 best interests of the public and the defendant in a speedy trial. Therefore, it is hereby ordered

1 that the time between September 15, 2010 and September 21, 2010 shall be excluded from  
2 computation under the Speedy Trial Act. 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

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4 DATED: September 15, 2010



5 HONORABLE DONNA M. RYU  
United States Magistrate Judge

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